

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal No. 3:09-CR-396
	:	
	:	
v.	:	(Judge Caputo)
	:	
	:	
DERRICK DONCHAK	:	Electronically filed

**PROPOSED VERDICT FORM**

AND NOW, this 29<sup>th</sup> day of September, 2010, comes the Defendant, Derrick Donchak, by counsel, William A. Fetterhoff, and presents the following:

**COUNT ONE**

**ASSAULT OF LUIS RAMIREZ BECAUSE OF HIS RACE AND BECAUSE HE WAS**

**OCCUPYING A DWELLING IN SHENANDIOAH**

**BRANDON PIEKARSKY**

1. Did BRANDON PIEKARSKY commit an unlawful assault against Luis Ramirez?

Yes \_\_\_\_\_

No \_\_\_\_\_

2. Did the death of Luis Ramirez result from an unlawful assault committed by BRANDON  
PIEKARSKY?

Yes \_\_\_\_\_

No \_\_\_\_\_

3. If the jury finds that Luis Ramirez was subject to an unlawful assault by BRANDON  
PIEKARSKY does the jury also find that the assault was committed because of the race of Luis  
Ramirez?

Yes \_\_\_\_

No \_\_\_\_

4. If the jury finds that Luis Ramirez was subject to an unlawful assault by BRANDON PIEKARSKY and that the assault was committed by BRANDON PIEKARSKY because of the race of Luis Ramirez does the jury also find that the assault was committed by BRANDON PIEKARSKY because Luis Ramirez was occupying a dwelling in Shenandoah?

Yes \_\_\_\_

No \_\_\_\_

5. Does the jury find BRANDON PIEKARSKY guilty or not guilty on Count One?

Guilty \_\_\_\_

Not Guilty \_\_\_\_

**COUNT ONE**

**ASSAULT OF LUIS RAMIREZ BECAUSE OF HIS RACE AND BECAUSE HE WAS**

**OCCUPYING A DWELLING IN SHENANDIOAH**

**DERRICK DONCHAK**

1. Did DERRICK DONCHAK commit an unlawful assault against Luis Ramirez?

Yes \_\_\_\_

No \_\_\_\_

2. Did the death of Luis Ramirez result from an unlawful assault committed by DERRICK DONCHAK?

Yes \_\_\_\_

No \_\_\_\_

3. If the jury finds that Luis Ramirez was subject to an unlawful assault by DERRICK DONCHAK does the jury also find that the assault was also committed because of the race of Luis Ramirez?

Yes \_\_\_\_

No \_\_\_\_

4. If the jury finds that Luis Ramirez was subject to an unlawful assault by DERRICK DONCHAK and that the assault was committed by DERRICK DONCHAK because of the race of Luis Ramirez does the jury also find that the assault was committed by DERRICK DONCHAK because Luis Ramirez was occupying a dwelling in Shenandoah?

Yes \_\_\_\_

No \_\_\_\_

5. Does the jury find DERRICK DONCHAK guilty or not guilty on Count One?

Guilty \_\_\_\_

Not Guilty \_\_\_\_

### **COUNT TWO**

#### **CONSPIRACY TO FALSIFY RECORDS IN FEDERAL INVESTIGATION**

##### **DERRICK DONCHAK**

1. Did DERRICK DONCHAK knowingly conspire with members of the Shenandoah Police Department and others to make false entries in official police reports?

Yes \_\_\_\_

No \_\_\_\_

2. If the jury finds that DERRICK DONCHAK did knowingly conspire with members of the Shenandoah Police Department and others to make false entries in official police reports, does the jury also find that DERRICK DONCHAK acted with the intent to impede, obstruct, or influence a Federal investigation?

Yes \_\_\_\_

No \_\_\_\_

3. Does the jury find DERRICK DONCHAK guilty or not guilty on Count Two?

Guilty \_\_\_\_

Not Guilty \_\_\_\_

**COUNT THREE**

**FALSIFICATION OF RECORDS IN FEDERAL INVESTIGATION**

**DERRICK DONCHAK**

1. Did DERRICK DONCHAK knowingly aid and abet members of the Shenandoah Police Department and others to make false entries in official police reports?

Yes \_\_\_\_

No \_\_\_\_

2. If the jury finds that DERRICK DONCHAK did knowingly aid and abet members of the Shenandoah Police Department to make false entries in official police reports, does the jury also find that DERRICK DONCHAK acted with the intent to impede, obstruct, or influence a Federal investigation?

Yes \_\_\_\_

No \_\_\_\_

3. Does the jury find DERRICK DONCHAK guilty or not guilty on Count Three?

Guilty \_\_\_\_

Not Guilty \_\_\_\_

**COUNT FOUR**

**DESTRUCTION OR CONCEALMENT OF TANGIBLE OBJECT**

**IN FEDERAL INVESTIGATION**

**DERRICK DONCHAK**

1. Did DERRICK DONCHAK knowingly conceal and/or cover up a tangible object, namely a pair of shoes?

Yes \_\_\_\_

No \_\_\_\_

2. If the jury finds that DERRICK DONCHAK did knowingly conceal and/or cover up a tangible object, namely a pair of shoes, does the jury also find that DERRICK DONCHAK acted with the intent to impede, obstruct, or influence a Federal investigation?

Yes \_\_\_\_

No \_\_\_\_

3. Does the jury find DERRICK DONCHAK guilty or not guilty on Count Four?

Guilty \_\_\_\_

Not Guilty \_\_\_\_

September 29, 2010

Respectfully submitted,

/s/ Willaim A. Fetterhoff

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was electronically served on the individuals listed below.

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September 29, 2010

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